November XX, 2023

The Honorable Miguel Cardona
Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

Mr. Cardona,

We are writing to express our serious concern regarding the U.S. Department of Education's recent decision to impose a record-setting fine of $37,735,000 on Grand Canyon University (GCU) located in Phoenix, Arizona. Since President Biden took office, your Department has been keen to repeal robust protections of religious freedom within your jurisdiction.

As the United States' largest private Christian university, GCU's enrollment has grown to an estimated 25,800 students on the ground campus and 92,000 students who study online as a result of their innovative approach to higher education, offering a wide array of certificate programs, undergraduate, and graduate degrees.

It is our understanding your Department's actions to fine the university for not properly disclosing the cost of its doctoral programs are not validated by the federal court system[1]— in which the courts rejected the claim that GCU's disclosures of doctoral program requirements misrepresented the time or cost it would take a student to complete a doctoral program.

As you should already know, the Religious Freedom Restoration Act (RFRA) stipulates that if a government policy imposes a substantial burden on the free exercise of religion, it must demonstrate that the government has a compelling interest and that it has carried out its policy through the least restrictive means.

Your Department has not made a compelling case to institute a multi-million dollar fine – the largest penalty ever handed down by the Education Department – and is overreach at best.

We ask that you immediately rescind this fine and hope that the U.S. Department of the Education will engage in a more transparent effort to protect religious freedom in the future.

Sincerely,

Eli Crane
Member of Congress

Andy Biggs
Member of Congress

Debbie Lesko
Member of Congress

---

[1] https://caselaw.findlaw.com/court/us-11th-circuit/2150612.html